



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

September 29, 2010

Ms. Stephanie Utter, Manager
U.S. Bureau of Reclamation
Ephrata Field Office
P.O. Box 815
Ephrata, Washington 98823-0815

Re: Extension to Development Schedule for Surface Water Permit No. S3-28586P

Dear Ms. Utter:

The Department of Ecology (Ecology) has received two letters from you, dated May 13, 2010 and September 9, 2010, in which you request an extension of time to the development schedule for Surface Water Permit No. S3-28586P.

In response to your request, the Bureau of Reclamation is hereby granted an extension of time in which to put the surface water to full beneficial use. **Your new deadline to put the water to full use and to submit a *Proof of Appropriation* form to Ecology is December 1, 2013.**

The *Proof of Appropriation* form you will file in 2013 will need to document in detail, how and where water authorized under Surface Water Permit No. S3-28586P is being beneficially used within the Columbia Basin Project. Given the great complexity of the Project, it will be a challenge to clearly document the exact number of acres being irrigated, and the annual and instantaneous quantities of water being beneficially used. Therefore, Ecology would like to work cooperatively with you in your effort to gather information required to be submitted in the *Proof of Appropriation* form. We suggest that effort should begin soon, perhaps through the formation of a technical committee with representatives from both Reclamation and Ecology. Please contact me soon, to discuss this matter.

You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do the following within 30 days of the date of receipt of this document:

- File your appeal and a copy of this document with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

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You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503 Pollution Control Hearings Board 4224 – 6th Avenue SE Rowe Six, Building 2 Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608 Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

Please also send a copy of your appeal to:

Mr. Keith L. Stoffel
Department of Ecology
Eastern Regional Office
4601 North Monroe Street
Spokane, WA 99205-1295

*For additional information visit the Environmental Hearings Office Website:
<http://www.eho.wa.gov> . To find laws and agency rules visit the Washington State Legislature
Website: <http://www1.leg.wa.gov/CodeReviser> .*

Sincerely,



Keith L. Stoffel
Section Manager
Water Resources Program
Eastern Regional Office

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Enclosures: "Your Right to Be Heard"